

Snack Foods and Beverages In Connecticut Schools

A comparison of state policy with USDA's nutrition standards

Connecticut has several statutes and policies to address food and beverages sold in public and private schools and in residential child care institutions, or RCCIs. The Connecticut Nutrition Standards for competitive foods were established by the state Department of Education in 2006 in response to Section 10-215e of the Connecticut General Statutes, and are updated every January. Standards for beverages were established by CGS Section 10-221q and first took effect in 2006. Standards for competitive foods were updated in 2014 to better align them with U.S. Department of Agriculture's Smart Snacks in School interim final rule.

Policy Applications		
	USDA interim final rule	Connecticut standards ¹
What is covered by the policy?	This policy applies to all snack foods and beverages sold in schools—elementary, middle, and high—operating the National School Lunch Program (NSLP) and School Breakfast Program (SBP) effective July 1, 2014.	<p>These statutes, including the state beverage requirements, apply to all public schools, regardless of whether they participate in the USDA school nutrition programs. They do not apply to private schools or RCCIs.</p> <p>All schools must also comply with the state competitive foods regulations (sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies), including public schools participating in Healthy Food Certification, or HFC, and non-HFC public schools, private schools, and RCCIs.</p> <p>Districts that participate in the National School Lunch Program, or NSLP, must certify annually to the Department of Education as to whether they will participate in HFC. For those schools that follow HFC, all food available for sale must meet the state's nutrition standards. Private schools and RCCIs are not eligible to participate in HFC.</p> <p>The Connecticut Nutrition Standards, or CNS, apply to foods sold outside of the reimbursable meal to students at all times, from all sources. Competitive food sales include, but are not limited to, cafeteria a la carte sales, school stores, vending machines and fundraisers. Foods that do not meet the CNS can only be sold if the local board of education or school governing authority has voted to allow exemptions (as indicated on the annual HFC statement submitted to the Department of Education) and they meet three criteria for exemption:</p> <ul style="list-style-type: none"> • The sale is in connection with an event occurring after the end of the regular school day or on the weekend, • The sale is at the location of the event; and • The foods are not sold from a vending machine or school store.²

¹ This chart reflects state policies in place as of Aug. 1, 2014, and federal standards as of Sept. 11, 2014.

Policy Applications		
	USDA interim final rule	Connecticut standards
Does the policy address preemption?	The interim final rule sets minimum standards for foods and beverages that local educational agencies, school food authorities, and schools must meet. State agencies and/or local school districts may establish other standards if they are consistent with or stricter than the national policy.	<p>Connecticut offers guidance to address the differences between state and federal requirements.</p> <p>All public schools participating in HFC must comply with the CNS, which exceed the Smart Snacks requirements in some areas.</p> <p>Some sections of the state beverage statute are different than the Smart Snacks requirements. As of July 1, 2014, public schools are required to follow USDA requirements, in addition to those state beverage requirements that are stricter than the USDA's.</p>
Definition of "school day"	The period from 12:01 a.m. until 30 minutes after the end of the instructional day.	The regular school day is the period from 12:01 a.m. to 30 minutes after the end of the instructional school day. The state nutrition standards apply to food sold outside of the reimbursable meals program at all times, not just during the school day, except for foods sold at events that meet the three exemption criteria. This policy does apply to the extended school day.
Definition of "school campus"	All areas of the school's property accessible to students during the school day are considered part of the school campus.	All areas of the property under the jurisdiction of the local and regional board of education, the regional vocational-technical school system, and the governing authority district or school.

Foods		
	USDA interim final rule	Connecticut standards
General	<p>A food item must meet all the competitive food-nutrient standards, as outlined in this chart, and</p> <ul style="list-style-type: none"> be a whole-grain product containing 50% or more whole grains by weight or have whole grains listed as the first ingredient, or have as the first ingredient one of the non-grain major food groups: a fruit, vegetable, dairy product, protein food, or be a combination food that contains at least ¼ cup of fruit and/or vegetable, or Through June 30, 2016, a competitive food can contain 10 percent of the Daily Value of a nutrient of public health concern as identified in the <i>Dietary Guidelines for Americans</i> (i.e. calcium, potassium, vitamin D or dietary fiber). <p>If water is the first ingredient, the second must be one of the food items above.</p>	<p>The food item must meet all of the nutrient standards for its specific category (snacks, entrees, non-entree combination foods, fruits and vegetables, cooked grains, and soups), and</p> <ul style="list-style-type: none"> contain at least 50% whole grains by weight or have a whole grain as the first ingredient and any remaining grain ingredients are enriched. (Products that contain any noncreditable grains at levels of more than 2 percent of the product formula (¼ ounce equivalent) do not meet this standard.); or have as the first ingredient one of the non-grain major food groups: a fruit, vegetable, dairy product or protein food, or be a combination food that contains at least ¼ cup of fruit and/or vegetable. <p>If water is the first ingredient, the second ingredient must be one of the food items above.</p> <p>The CNS do not allow schools to use the 10 percent daily value criteria included in the USDA's interim final rule.</p>
Calories (per item as packaged or served)	<p>≤ 200 calories for snacks and side dishes</p> <p>≤ 350 calories for entree items</p>	<p>≤ 200 calories for snacks, non-entree combination foods, fruits and vegetables, cooked grains, and soups</p> <p>≤ 350 calories for entree items</p>
Total fat	≤ 35% of total calories	≤ 35% of total calories
Saturated fat	≤ 10% of total calories	< 10% of total calories
Trans fat	Zero grams	<p>Zero trans fat (less than 0.5 grams)</p> <p>Effective July 1, 2015, all products must be 100% free of trans fats. Labels must indicate zero trans fat as served, and the ingredients statement must not contain partially hydrogenated oils.</p>
Sugar (per item as packaged or served)	≤ 35% of weight from total sugars in foods	<p>All foods except yogurt, pudding, smoothies, fruits and vegetables, and non-entrée combination foods: ≤ 35% of weight from total sugars in foods and ≤ 15 grams total sugars as served.</p> <ul style="list-style-type: none"> Smoothies: ≤ 4 grams of total sugars per ounce for smoothies made with low-fat yogurt and/or other low-fat dairy alternatives and/or fruit and/or 100% juice. Portion limit of ≤ 8 fl oz in elementary schools and ≤ 12 fl oz in middle and high schools. Yogurt and pudding: ≤ 4 grams of total sugars per ounce Fruits and vegetables: ≤ 35% of weight from total sugars as served Non-entree combinations foods: ≤ 35% of weight from total sugars as served

Foods		
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Sodium (per item as packaged or served)	<p>≤ 230 mg of sodium for snack items (July 2014-June 30, 2016)</p> <p>≤ 200 mg of sodium for snack items (as of July 1, 2016)</p> <p>≤ 480 mg of sodium for entree items</p>	<p>≤ 230 mg of sodium for snack items (July 1, 2014-June 30, 2016)</p> <p>≤ 200 mg of sodium for snack items (as of July 1, 2016)</p> <p>≤ 480 mg of sodium for entree items</p>
Other	<p>NSLP and SBP entrees sold a la carte are exempt from the rule's nutrient standards if sold on the day that they are offered as part of a reimbursable meal, or sold on the following school day.</p> <p>Accompaniments, such as condiments or salad dressing, must be included in the nutrient profile as a part of the item served.</p>	<p>Entree items that are sold a la carte on the same day they are planned and served as part of the reimbursable school meal are exempt from nutrient standards if they:</p> <ul style="list-style-type: none"> are the same or smaller portion size as the NSLP and SBP offering; have the same accompaniments; meet the trans fat standard; and do not contain artificial sweeteners, nonnutritive sweeteners, sugar alcohols, or chemically altered fat substitutes. <p>Accompaniments, such as condiments or salad dressings, must be included in the nutrient profile as a part of the item served.</p> <p>All gum, including sugar-free, is prohibited.</p> <p>No chemically altered fat substances, such as Olestra, Olean, and Simplesse.</p> <p>No nutrition supplements, such as amino acids, extracts, and herbs or other botanicals.</p>

Beverages		
	USDA interim final rule	Connecticut standards ²
General	Elementary and middle schools may only sell low-fat or nonfat milk, 100 percent fruit and/or vegetable juice, and water per USDA's portion guidelines. High schools may sell additional beverages meeting calorie and serving size limits.	<p>State requirements apply to all beverages sold to students in public schools at all times.²</p> <p>The only allowable beverages are milk, plain or flavored; nondairy milks such as soy or rice milk; 100% fruit juice, vegetable juice, or a combination of such juices; and beverages that contain only water and fruit or vegetable juice. (Additional guidance is offered on water and juice beverages, because no beverages on the market include only water and juice.)</p> <p>Beverages that do not meet the requirements of the state statute can only be sold to students on school premises if the local board of education or school governing authority allows exemptions and they meet three criteria:</p> <ul style="list-style-type: none"> • The sale is in connection with an event occurring after the end of the regular school day or on the weekend, • The sale is at the location of the event; and • The beverages are not sold from a vending machine or school store.² <p>Beverages that do not meet the requirements of the state statute cannot be sold in vending machines or school stores.²</p>
Juice		
Elementary	<p>100% fruit/vegetable juice ≤ 8 fl oz</p> <p>100% fruit/vegetable juice diluted with water (with or without carbonation), and no added sweeteners ≤ 8 fl oz</p>	<p>100% fruit or vegetable juice ≤ 8 fl oz</p> <ul style="list-style-type: none"> • No added sugars or sweeteners, artificial sweeteners <p>Water and juice beverages ≤ 8 fl oz</p> <ul style="list-style-type: none"> • No added sugars or sweeteners, artificial sweeteners² • No more than 100% vitamin C² • No more than 10% calcium, potassium, vitamin D, and fiber² • No other fortification of vitamins and minerals, no nutrition supplements² • May contain vegetable or fruit extracts and natural flavors and colors only.²

² Section 10-221q of the Connecticut General Statutes regulates the types and serving sizes of beverages that may be sold to students from any source, including, but not limited to, school stores, vending machines, school cafeterias, and any fundraising activities on school premises, whether or not school sponsored. The State Legislature passed a bill to update beverage standards during the 2014 session, but it was vetoed by the governor, thus previous standards remain in effect.

Beverages		
	USDA interim final rule	Connecticut standards
Juice		
Middle	<p>100% fruit/vegetable juice ≤ 12 fl oz</p> <p>100% fruit/vegetable juice diluted with water (with or without carbonation), and no added sweeteners ≤ 12 fl oz</p>	<p>100% fruit or vegetable ≤ 12 fl oz</p> <ul style="list-style-type: none"> No added sugars or sweeteners, artificial sweeteners <p>Water and juice beverages ≤ 12 fl oz</p> <ul style="list-style-type: none"> No added sugars or sweeteners, artificial sweeteners¹ No more than 100% vitamin C¹ No more than 10% calcium, potassium, vitamin D, and fiber¹ No other fortification of vitamins and minerals, no nutrition supplements¹ May contain vegetable or fruit extracts and natural flavors and colors only¹
High	<p>100% fruit/vegetable juice ≤ 12 fl oz</p> <p>100% fruit/vegetable juice diluted with water (with or without carbonation), and no added sweeteners ≤ 12 fl oz</p>	<p>100% fruit or vegetable ≤ 12 fl oz</p> <ul style="list-style-type: none"> No added sugars or sweeteners, artificial sweeteners <p>Water and juice beverages ≤ 12 fl oz</p> <ul style="list-style-type: none"> No added sugars or sweeteners, artificial sweeteners¹ No more than 100% vitamin C¹ No more than 10% calcium, potassium, vitamin D, and fiber¹ No other fortification of vitamins and minerals, no nutrition supplements¹ <p>May contain vegetable or fruit extracts and natural flavors and colors only¹</p>
Milk and milk alternatives		
Elementary	<p>Low-fat milk, unflavored ≤ 8 fl oz</p> <p>Nonfat milk, plain or flavored ≤ 8 fl oz</p> <p>Nutritionally equivalent milk alternatives ≤ 8 fl oz</p>	<p>Milk, flavored or unflavored ≤ 8 fl oz</p> <ul style="list-style-type: none"> No artificial sweeteners¹ ≤ 4 g of sugar per ounce¹ <p>Nondairy milk, flavored or unflavored ≤ 8 fl oz</p> <ul style="list-style-type: none"> No artificial sweeteners¹ ≤ 4 g of sugar per ounce¹ ≤ 35% of calories from fat per portion¹ ≤ 10% of calories from saturated fat per portion¹

Beverages		
	USDA interim final rule	Connecticut standards
Milk and milk alternatives		
Middle	<p>Low-fat milk, unflavored ≤ 12 fl oz</p> <p>Nonfat milk, plain or flavored ≤ 12 fl oz</p> <p>Nutritionally equivalent milk alternatives ≤ 12 fl oz</p>	<p>Milk, flavored or unflavored ≤ 12 fl oz</p> <ul style="list-style-type: none"> • No artificial sweeteners¹ • No more than 4 g of sugar per ounce¹ <p>Nondairy milk, flavored or unflavored ≤ 12 fl oz</p> <ul style="list-style-type: none"> • No artificial sweeteners¹ • ≤ 4 g of sugar per ounce¹ • ≤ 35% of calories from fat per portion¹ • ≤ 10% of calories from saturated fat per portion¹
High	<p>Low-fat milk, unflavored ≤ 12 fl oz</p> <p>Nonfat milk, plain or flavored ≤ 12 fl oz</p> <p>Nutritionally equivalent milk alternatives ≤ 12 fl oz</p>	<p>Milk, flavored or unflavored ≤ 12 fl oz</p> <ul style="list-style-type: none"> • No artificial sweeteners¹ • No more than 4 g of sugar per ounce¹ <p>Nondairy milk, flavored or unflavored ≤ 12 fl oz</p> <ul style="list-style-type: none"> • No artificial sweeteners¹ • ≤ 4 g of sugar per ounce¹ • ≤ 35% of calories from fat per portion¹ • ≤ 10% of calories from saturated fat per portion¹
Water		
All grades	<p>Potable water must be available at no charge during meal service where breakfast and lunches are served.</p> <p>There is no ounce restriction on plain water for sale (carbonated or noncarbonated).</p>	<p>Water may be flavored; no added sugars, sweeteners, artificial sugars or caffeine¹</p> <p>No portion size limits on water</p>
Other beverages		
	<p>Other beverages allowed only in high school:</p> <p>Calorie-free, flavored and/or carbonated water and other calorie-free beverages that comply with the Food and Drug Administration's requirement of ≤ 5 calories per 8 fluid oz serving (or ≤ 10 calories per 20 fluid oz), in no more than 20 oz servings.</p> <p>Beverages ≤ 40 calories per 8 fluid oz serving (or ≤ 60 calories per 12 fluid oz serving) in no more than 12 oz servings are also allowed.</p>	<p>All other flavored and/or carbonated beverages are prohibited for sale to students, such as diet soda, sports drinks, and caffeinated beverages.</p>

Beverages		
	USDA interim final rule	Connecticut standards
Caffeine		
Elementary	Not allowed	Not allowed
Middle	Not allowed	Not allowed
High	Caffeinated beverages allowed	Not allowed
Artificial sweeteners		
	No standard	Artificial sweeteners, nonnutritive sweeteners, and sugar alcohols prohibited

Other		
	USDA interim final rule	Connecticut standards
Fundraisers	<p>Exemptions allowed for infrequent school-sponsored fundraisers.</p> <p>Frequency to be defined by state agency.</p> <p>Exempted fundraiser foods or beverages may not be sold in competition with school meals in the food service area during the meal service.</p>	<p>The CNS applies to all fundraising activities on school premises, regardless of whether they are sponsored by the school or an outside group. They also apply if students are involved in delivering money to the school for the food items and picking them up at schools. Fundraisers can comply if students bring orders and money to schools, but parents or other adults pick up the food items.'</p> <p>Food that does not meet the CNS can only be sold to students on school premises if the local board of education or school governing authority has voted to allow exemptions (as indicated on the annual HFC Statement submitted to the Department of Education) and they meet three exemption criteria:</p> <ul style="list-style-type: none"> • The sale is in connection with an event occurring after the end of the regular school day or on the weekend; • The sale is at the location of the event; and • The food is not sold from a vending machine or school store.'
Class parties/school celebrations	No standard	<p>Food and beverage standards apply only to food and beverages sold to students; they do not apply to items provided at no charge, as in class parties and celebrations. However, if a fee is collected to cover the cost of food "given" to students at classroom parties, it is considered as being sold and the state's nutrition standards apply.'</p>
Food marketing	No standard included in the USDA Smart Snacks interim final rule; however, USDA's proposed rule on Local Wellness Policies addresses this component.	No standard
Positive nutritional value	No standard	<p>Significantly fortified products are prohibited, except for naturally nutrient-rich foods fortified with nutrients at levels based on scientifically documented health needs.'</p>
Nutrition labeling requirements	No standard	No standard
Local Wellness Policy	No standard included in the USDA Smart Snacks interim final rule; however, school districts are required by federal law to have a Local Wellness Policy.	No standard

Exemptions to food and beverage standards		
	USDA interim final rule	Connecticut standards
General		
General exemptions	<p>Fresh, canned, and frozen fruit or vegetables with no added ingredients except water, or in the case of fruit, packed in 100 percent juice, extra light, or light syrup are exempt from the interim final rule's nutrient standards.</p> <p>Canned vegetables that contain a small amount of sugar to maintain the quality and structure of the vegetable are exempt from the rule's nutrient standards.</p> <p>Sugar-free chewing gum is exempt from competitive food standards and may be sold to students at the discretion of the local educational agency.</p> <p>"Paired exemptions" are items designated as exempt from one or more of the nutrient requirements individually and packaged together without any additional ingredients. These items retain their individually designated exemption for total fat, saturated fat, and/or sugar when packaged together and sold. "Paired exemptions" are required to meet the calorie and sodium limits for Smart Snacks.</p>	<p>Fresh and frozen fruits and vegetables with no added ingredients except water.</p> <p>Canned fruit with no added ingredients except water that is packed in 100% juice, extra light syrup or light syrup, all without artificial sweeteners, nonnutritive sweeteners, sugar alcohols, or fats.'</p> <p>Canned vegetables with no added ingredients except water or that contain no added ingredients except a small amount of sugar for processing purposes to maintain the quality and structure of the vegetable.</p> <p>Sugar-free chewing gum is not exempt and can only be sold if:</p> <ul style="list-style-type: none"> the local board of education or school governing authority has voted to allow exemptions (as indicated on the annual Healthy Food Certification Statement submitted to the Department of Education); and it is sold at the location of events held after the school day or on the weekend, provided it is not sold from a vending machine or school store.'
Exemptions from total fat	<p>Nuts, seeds, nut/seed butters</p> <p>Reduced-fat and part-skim mozzarella cheeses</p> <p>Products consisting of only dried fruits with nuts and/or seeds, with no added nutritive³ sweetener or fat</p> <p>Seafood with no added fat</p> <p>Combination foods are not exempt and must meet all nutrient standards.</p>	<p>The exemptions for the below products do not apply to combination foods or foods containing cheese, nuts, seeds, nut/seed butters, and dried fruit as ingredients:</p> <ul style="list-style-type: none"> Nuts, seeds, nut/seed butters Low-fat or reduced-fat 100% natural cheese (including part-skim mozzarella cheeses) <p>Products consisting of only dried fruits with nuts and or seeds with no added sweeteners or fats (including chemically altered fat substitutes)'</p> <p>Seafood with no added fat (including chemically altered fat substitutes).'</p>
Exemptions from saturated fat	<p>Nuts, seeds, nut/seed butters</p> <p>Reduced-fat and part-skim mozzarella cheeses</p> <p>Products consisting of only dried fruits with nuts and or seeds, with no added nutritive sweetener or fat</p> <p>Combination products are not exempt and must meet all nutrient standards.</p>	<p>The exemptions for the below products do not apply to combination foods or foods containing cheese, nuts, seeds, nut/seed butters, and dried fruit as ingredients:</p> <ul style="list-style-type: none"> Nuts, seeds, nut/seed butters Low-fat or reduced-fat 100% natural cheese (including part-skim mozzarella cheeses) <p>Products consisting of only dried fruits with nuts and/or seeds with no added sweeteners (including artificial sweeteners, nonnutritive sweeteners and sugar alcohols) or fats (including chemically altered fat substitutes).'</p>

Exemptions to food and beverage standards		
	USDA interim final rule	Connecticut standards
General		
Exemptions from sugar (per item as packaged or served)	<p>Dried whole fruit or vegetables; dried whole fruit or vegetable pieces; and dehydrated fruit or vegetables with no added nutritive sweeteners</p> <p>Dried fruit with added nutritive sweeteners required for processing and/or palatability purposes</p> <p>Products consisting of only dried fruits with nuts and or seeds with no added nutritive sweeteners or fat.</p>	<p>Dried whole fruits or vegetables; dried whole fruit or vegetable pieces; and dehydrated fruits or vegetables with no added nutritive and nonnutritive sweeteners or fats (including chemically altered fat substitutes). No exemption for added sugars for processing and/or palatability.*</p> <p>Products consisting of only dried fruits with nuts and or seeds with no added nutritive and nonnutritive sweeteners or fats (including chemically altered fat substitutes).†</p> <p>Frozen desserts containing only 100% juice or fruit and no added nutritive and nonnutritive sweeteners.‡</p>

* Components of the standards that are considered to be stronger than the USDA standards.

† Nutritive and non-nutritive sweeteners enhance the flavor and/or texture of food. Nutritive sweeteners provide the body with calories, whereas non-nutritive sweeteners are low in calories or contain none. They can be added to both food and beverages.

References

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**KIDS' SAFE &
HEALTHFUL
FOODS PROJECT**


Robert Wood Johnson
Foundation

 **THE
PEW**
CHARITABLE TRUSTS

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The Kids' Safe and Healthful Foods Project, a collaboration between The Pew Charitable Trusts and the Robert Wood Johnson Foundation, provides nonpartisan analysis and evidence-based recommendations to make sure that all foods and beverages sold in U.S. schools are safe and healthful.